

Docket No: BALLING  
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## **AMENDMENTS TO THE DRAWINGS WITHOUT MARKINGS**

### **IN THE DRAWING:**

Fig. 1 has been amended.

Fig. 1a has been added.

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## REMARKS

The last Office Action of August 22, 2005 has been carefully considered. Reconsideration of the instant application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1-4, 6, 7, 9 and 10 are pending in the application. Claims 1-4, and 9-10 have been amended. Claims 6 and 7 have now been canceled. Claims 1-4 and 9-10 remain in the application. Amendments to the specification have been made. No fee is due.

It is noted that the drawings are objected to because applicant showed modified forms in Fig. 1. Submitted herewith are two new drawing sheets labeled "Replacement Sheet" and "New Sheet", respectively. The drawing sheet, labeled "Replacement Sheet" corresponds to original FIG. 1 to show only fixed bus connections. The drawing sheet, labeled "New Sheet" shows new FIG. 1a to show the wireless bus connections.

Claims 1 and 9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over US Patent 4,380,796 to Ostby in view of US Patent 4,943,927 to Yarita.

Claims 1, 3, 4, 6, 7, and 9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ostby in view of US published application 2002/0133634 to Bieber.

Claim 10 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Ostby in view of Yarita or Bieber.

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Claim 2 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Ostby in view of Yarita or Bieber, as applied to claim 1, and further in view of US Patent 5,561,770 to deBruijn.

#### **REJECTION UNDER 35 U.S.C. §112, (2)**

Claims 2, 3, 4, and 9 have been amended to address the claim rejections under 35 U.S.C. §112, second paragraph. Withdrawal of this rejection is respectfully requested.

#### **REJECTION UNDER 35 U.S.C. §103(a)**

Claims 1 and 10 have been amended to recite that the entire intelligence, including the control software for controlling the movement of the machine axes, is located in the one handheld device, and that for each of the plurality of machine tools or production machines there exists in the control software a control function program, whereby the machine axes movements of each machine tool or production machine are controlled separately by a corresponding one of the control function programs. Support for the added claim language of claims 1 and 10 can be found in paragraphs [0022] through [0026] of the specification.

Ostby discloses a computer-controlled machine tool which typically includes a numerically controlled (N/C) machine tool, such as an N/C lathe, an

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N/C vertical or horizontal spindle machining center, and is controlled remotely by a remote control unit. A front panel controller is coupled between remote control unit and central processing unit and serves to interface remote control unit to the central processing unit. The Examiner asserts that the front panel controller of Ostby is structurally equivalent to the term "ultrathin" client.

Ostby specifically states that the front panel controller controls the operation of display in accordance with commands from the central processing unit. Front panel controller comprises a microprocessor, typically a model 6800 microprocessor, which Applicant, in apparent agreement with the Examiner, regards as having intelligence.

Yarita discloses a system for controlling a loom. As stated by Yarita and referred to in the office action, "the loom L and the replacing apparatus 10 operate independently of the networks of the host computer HC and each personal computer PC." This is completely different from the invention recited in claims 1 and 10, as amended herein, which explicitly state that "the machine axes movements of each machine tool or production machine are controlled separately by a corresponding one of the control function programs."

Bieber discloses a control program wherein a plurality of parallel instances of the control program are deployed to a respective plurality of thin client terminals over a network. A process is then independently controlled from each of the plurality of thin client terminals. The same reasoning applied above to Yarita then also applies to Bieber. Bieber operates the system without the supervisory server. This is again completely different from the invention recited

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in claims 1 and 10, as amended herein, which explicitly state that "the machine axes movements of each machine tool or production machine are controlled separately by a corresponding one of the control function programs."

Stated differently, unlike in Yarita's and Bieber's embodiments where the controller operates independent of a supervisory computer, control of the machine axes in the device of the present invention does not function without the handheld device providing the control function program, and the ultrathin client will not operate without the connected handheld device.

Applicant therefore submits that Ostby, Yarita and Bieber, taken either alone or in combination, do not disclose, teach or suggest the subject matter of the invention, as recited in claims 1 and 10. Claims 1 and 10 are therefore patentable over the art of record. Claims 2-4 and 9, which depend from claim 1, are then patentable for at least the same reasons that claim 1 is patentable.

In view of the above, each of the presently pending claims in this application is considered patentably differentiated over the prior art of record and believed to be in immediate conditions for allowance. Reconsideration and allowance of the present application are thus respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the

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undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted,

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